



# City Council Agenda

Council President  
**Ken Steitz**

Councilmembers

**Tom Boyajian**  
**Garry Bredefeld**  
**Chris Mathys**, Acting Council President

**Henry Perea**  
**Sal Quintero**  
**Daniel Ronquillo**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, OCTOBER 26, 1999**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

## **9:00 A.M. COUNCIL ROLL CALL**

Invocation by Pastor G.L. Johnson of the Peoples Church  
Pledge of Allegiance to the Flag

Proclamation of "DR. RICHARD BERTKEN DAY" - Councilmember Boyajian  
Proclamation of "FEEDING NEEDY FAMILIES DAY" - Councilmember Ronquillo  
Presentation of Certificate to Red Ribbon Poster Contest Winners  
Presentation of Resolutions of Commendation to Scholarship Recipients: Mario Moua, Eena Saesee, Xiong Vang, Shelly Cha, and Na Thao - Acting President Mathys  
Presentation of Student of the Quarter Awards - Councilmember Perea  
Presentation of P.R.I.D.E. Team Certificates for the Fall Quarter

*(Reception immediately following - 2<sup>nd</sup> floor foyer)*

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve minutes of October 19, 1999

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

<b>TIME SCHEDULED HEARINGS AND MATTERS</b>
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**10:00 A.M. CONTINUED HEARING** to consider adoption of the ordinance relating to Text Amendment No. TA-99-04

**Action Taken:**

- 1. BILL NO. B-69 (Intro. 10/19/99)** - Consider Text Amendment No. TA-99-04 to the text of the Fresno Municipal Code and related environmental findings, related to modifying the development criteria for a family restaurant, game, and entertainment center, and adding the use to the C-4 (Central Trading) District, subject to a conditional use permit

**Action Taken:**

**10:30 A.M. HEARING** on appeal of decision by the City of Fresno Historic Preservation Commission regarding the proposed flagpole and monument, Fresno Veterans Memorial Auditorium, 2425 Fresno Street, Historic Resource #52

**Action Taken:**

**11:00 A.M. CONTINUED HEARING** to consider Plan Amendment No. A-99-10, and Rezoning Application No. R-99-20, filed by Brian Davies (on behalf of Highland Enterprises), for 18.6 acres located along the south side of W. Herndon Avenue, north of W. Palo Alto Avenue, and east of N. Polk Avenue

**Action Taken:**

- 1. Consider Mitigated Negative Declaration No. A-99-10/R-99-20**  
**Action Taken:**
- 2. RESOLUTION** - Amending the Bullard Community Plan  
**Action Taken:**
- 3. BILL** - Amending the Official Zone Map from the AE-5/UGM to R-1/EA/UGM zone district  
**Action Taken:**

**11:30 A.M.** Appearance by Bruce Johnson, Jr. to discuss the impending winter closure of the dog park located at

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El Capitan and Alamos

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:45 A.M.** Appearance by Philip McCullough, Sr., regarding the Del Monte Pines Apartments located at 4111 N. Fruit Avenue - Councilmember Boyajian and Acting President Mathys

**Action Taken:**

**2:00 P.M.#1** **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**2:00 P.M.#2** **CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)**

**1. Case Name:** Stephen O'Barr v. City of Fresno

**Action Taken:**

**2:50 P.M.** **REGULAR MEETING OF THE REDEVELOPMENT AGENCY**

Approve Agency minutes of October 19, 1999

**Action Taken:**

**AGENCY GENERAL CALENDAR**

**A.** Consider approval of a professional services agreement with the firm RTKL Associates, Inc., for the purpose of developing an updated Master Plan of the Uptown Area that takes into consideration current activities and proposed projects and creates a coordinated action plan

**Action Taken:**

**ADJOURN AGENCY**

**3:00 P.M.** Reports from Economic Development Corp., Fresno Revitalization Corp., and Fresno Visitors and Convention Center Bureau

**1. \* RESOLUTION - 40<sup>th</sup>** amendment to AAR No. 99-181 appropriating \$443,000 for the purpose of funding three new positions and a business license study to carry out the direction of the Economic Recovery Plan plus funding a neighborhood project bounded by Belmont, Freeway 180, "H" and Palm Avenues. Monies to come from appropriations for Economic Development Corporation, Fresno Revitalization Corporation, and the Convention and Visitors Bureau  
*(Requires 5 affirmative votes)*

**Action Taken:**

**2. \* RESOLUTION - 3<sup>rd</sup>** amendment to PAR No. 99-182 adding three positions, for the purpose of carrying out the direction of the Economic Recovery Plan

**Action Taken:**

**3.** Approve agreement with Burr Consulting to study Fresno employment migration patterns,

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industry growth in comparison to other cities, tax contributions by industry, job creation strategies, and alternative business tax rate models (*Contingent upon City Attorney approval*)

**Action Taken:**

<b>TIME SCHEDULED HEARINGS AND MATTERS CONTINUED</b>
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**3:30 P.M.      WORKSHOP** regarding overview of California Environmental Quality Act (CEQA) guidelines and City of Fresno implementation

**Action Taken:**

**4:30 P.M.      Direct City Manager to meet with Tree Fresno to update or develop a “uniform landscaping policy” to include a proposal for landscaping for existing developed properties - Councilmember Quintero**

**Action Taken:**

**5:45 P.M.      CONTINUED HEARING** to consider Plan Amendment Application No. A-99-09 and Rezoning Application No. R-99-18, filed by Central Pacific Builders, Inc., on behalf of Don Aluisi, et al., and the City of Fresno on behalf of the Clovis Unified School District and Fresno Metropolitan Flood Control District, for 109± acres of real property located to the northwest of the intersection of N. Maple and E. International Avenues

**Action Taken:**

1. Consider Mitigated Negative Declaration No. A-99-09, R-99-18, TT-4884, C-98-263

**Action Taken:**

2. **RESOLUTION** - Amending the 1989 Woodward Park Community Plan and the 1984 Fresno General Plan (*Planning Commission recommendation*)

**Action Taken:**

3. **BILL-** Amending the Official Zone Map from AL-20 to R-1/UGM (*Planning Commission recommendation*)

**Action Taken:**

**1A.      

<b>GENERAL CONSENT CALENDAR</b>
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**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)**

1. Approve agreement with the Taylor Group for Architectural Services to perform a feasibility study and comparative cost analysis for the remodel and expansion of the Convention Center Facilities

**Action Taken:**

a. \* **RESOLUTION** - 21<sup>st</sup> amendment to AAR No. 99-181 appropriating \$43,000 for a feasibility study to improve Convention Center facilities (*Requires 5 affirmative votes*)

**Action Taken:**

2. Approve agreements with Pyrospectacular, Inc. and the County of Fresno for a fireworks display for the Fresno Millennium (2000) celebration and authorize the City Manager to execute agreements on behalf of the City

**Action Taken:**

3. Approval of Local Transportation Fund (LTF) and State Transit Assistance (STA) claim for fiscal year 2000

**Action Taken:**

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4. \* **RESOLUTION** - 42<sup>nd</sup> amendment to AAR No. 99-181 appropriating \$3,400 obtained from local medical facilities as payment for specialized training and consulting services involving hazardous materials decontamination (*Requires 5 affirmative votes*)  
**Action Taken:**

1A. **GENERAL CONSENT CALENDAR CONTINUED**

5. **RESOLUTION** - Of intention to annex Tract No. 4866 to the City of Fresno Community Facilities District No. 2, Annexation No. 14, and to authorize the levy of special taxes  
**Action Taken:**
6. Approve an agreement with HDR Engineering, Inc., to provide assistance to Solid Waste Management public employees in the development of a proposal to provide recycling and curbside collection services  
**Action Taken:**
7. Approve an agreement with San Joaquin Valley Railroad for the reconstruction of at-grade crossings at N. Fresno and N. First Streets  
**Action Taken:**
8. Reject all bids for a requirements contract for office supplies  
**Action Taken:**
9. Adopt the Memorandum of Understanding (MOU) between the City of Fresno and the Fresno Airport Peace Officers/Firefighters Association (FAPOFA), Unit 11, covering the period July 1, 1998, through June 30, 2002  
**Action Taken:**
10. Authorize disposal of structural property at the Regional Wastewater Reclamation Facility  
**Action Taken:**

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. \* **BILL NO. B-68 (Intro. 10/19/99)** - Repealing Subsections (a) and (b), and amending Subsections (c) of Section 5-109 and adding Section 5-208 to the Fresno Municipal Code relating to business licenses  
**Action Taken:**
- B. \* **BILL NO. B-66 (Intro. 10/19/99)** - Amending Fresno Municipal Code Section 2-1203 relating to fiscal administration, revising procedure for presentation and processing of claims for money or damages (including claims relating to contracts), pending litigation, and workers' compensation claims, and making housekeeping amendments and formalizing administrative practice  
**Action Taken:**
- C. \* **BILL - (EMERGENCY ORDINANCE FOR INTRODUCTION AND ADOPTION)** - Amending the Fresno Municipal Code relating to establishing campaign contribution limits for candidates for elected

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office (Initiated by Councilmember Bredefeld)

**Action Taken:**

1. **RESOLUTION** - Designating an enforcement authority to enforce the campaign contribution limits in Article 22 of Chapter 2 of the Fresno Municipal Code

**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. \* Establish policy requiring residential/commercial developers to conduct a City/Cal Trans approved traffic study to determine the cumulative full build-out affect of proposed project and to pay their fair share of cost related to the affected transportation corridors - Councilmember Perea  
**Action Taken:**
- B. \* **BILL (For introduction)** - Submitting a proposed Charter amendment to City electors requiring voter approval of debt incurred for non-City projects - Acting President Mathys  
**Action Taken:**
- C. \* **RESOLUTION** - 41<sup>st</sup> amendment to AAR No. 99-181 appropriating \$1,300 from District 7's general fund infrastructure budget to fund the non-infrastructure related project for the neighborhood watch SP50 radios (***Requires 5 affirmative votes***) - Councilmember Perea  
**Action Taken:**
- D. \* **RESOLUTION** - 44<sup>th</sup> amendment to AAR No. 99-181 appropriating \$1,500 from District 1's general fund infrastructure budget to fund an after-school program at Fremont School (***Requires 5 affirmative votes***) - Councilmember Boyajian  
**Action Taken:**
- E. \* **RESOLUTION** - 43rd amendment to AAR No. 99-181 appropriating \$2,600 from District 5's general fund infrastructure budget to fund a survivalink defibrillator for the Senior Citizen's Village (***Requires 5 affirmative votes***) - Councilmember Quintero  
**Action Taken:**
- F. Direct City Attorney to create an ordinance to require businesses with appropriate zoning to install slats or City approved material in their chain link fences surrounding the property to cover properties used for storage - Councilmember Quintero  
**Action Taken:**
- G. \* **BILL (For introduction)** - Amending Subsection 8-402(g) of the Fresno Municipal Code, relating to use of designated park areas - Council President Steitz  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation

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to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

<b>SCHEDULED COUNCIL HEARINGS AND MATTERS</b>
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- Nov. 2 - 9:30 A.M. HEARING** re: Rezone Appl. No. R-99-33, filed by Prestige Care, Inc.
- Nov. 2 - 10:00 A.M.** Presentation of Employee Service Awards  
*(Reception immediately following - 2<sup>nd</sup> floor foyer)*
- Nov. 2 - 11:00 A.M. HEARING** re: P.A. No. 99-020, Rezone Appl. No. R-99-030 and CUP No. C-99-131, filed by Dirk Poeschel Land Development Services
- Nov. 2-2:30 P.M.-5:00 P.M. HEARING** re: approval of transfer of Media One Franchise
- Nov. 9 - 11:00 A.M. HEARING** re: P.A. No. A-99-17, Rezone Appl. No. R-99-26, filed by Cambridge Homes
- Nov. 16 - 9:00 A.M.** Presentation by the Police Department of Latent Awards
- Nov. 16 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-99-29, filed by Bob Shockley
- Nov. 23 - NO MEETING - THANKSGIVING WEEK**
- Nov. 30 - 10:00 A.M. HEARING** re: Community Facility District No. 2, Annexation No. 14
- Dec. 7 - 5:00 P.M.** Christmas Tree Lighting Ceremony - Mayor Patterson (2<sup>nd</sup> Floor Foyer)
- Dec. 21 - NO MEETING - CHRISTMAS WEEK**
- Dec. 28 - NO MEETING - NEW YEAR'S WEEK**

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